

quire the beneficiary or such administrator to settle or compromise such action whenever it shall appear to the Bureau that further prosecution of the cause of action is not warranted. Refusal on the part of such beneficiary or other person acting in the interest of the beneficiary to make such settlement or to effect such compromise when so directed by the Bureau shall be deemed to be sufficient cause for refusal on the part of the Bureau to pay compensation on account of the same injury or death, or the Bureau may suspend compensation during the period of such refusal.

[4 F.R. 4558, Nov. 11, 1939]

PART 25—COMPENSATION FOR DISABILITY AND DEATH OF NON-CITIZENS OUTSIDE THE UNITED STATES

Subpart A—General Provisions

- Sec. 25.1 General statement.
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- 25.26 Japanese seamen.

AUTHORITY: The provisions of this Part 25 issued under sec. 32, 39 Stat. 749, as amended; 5 U.S.C. 8145, 8149; 1946 Reorg. Plan No. 2, sec. 3, 3 CFR, 1943-1948 Comp., p. 1064; 60 Stat. 1095; 1950 Reorg. Plan No. 19, sec. 1, 3 CFR, 1949-1953 Comp., p. 1010; 64 Stat. 1271, unless otherwise noted.

SOURCE: The provisions of this Part 25 appear at 13 F.R. 3112, June 10, 1948, unless otherwise noted.

Subpart A—General Provisions

§ 25.1 General statement.

The provisions of this part shall apply in respect to compensation, under the United States Employees' Compensation Act, payable only to employees of the United States who are neither citizens

nor residents of the United States, any Territory, or Canada, or payable to any dependents of such employees. It has previously been determined, pursuant to section 42 of such act, that the amount of compensation, as provided under such act, is substantially disproportionate to the compensation for disability or death which is payable in similar cases under local law, regulation, custom, or otherwise, in areas outside the United States, any Territory, or Canada. Therefore, in respect to cases of such employees whose injury (or injury resulting in death) has occurred subsequent to December 7, 1941, or may occur, the following provisions shall be applicable.

§ 25.2 General adoption of local law.

(a) Pursuant to the provisions of section 42 of such act, the benefit features of local workmen's compensation laws, or provisions in the nature of workmen's compensation, in effect in the areas referred to in § 25.1, shall, effective as of December 7, 1941, by adoption and adaptation, as recognized by the Director, Bureau of Employees' Compensation, apply in the cases of the employees specified in § 25.1; *Provided however*, That there is not established and promulgated under this part, for the particular locality, or for a class of employees in the particular locality, a special schedule of compensation for injury or death.

(b) The benefit provisions as thus adopted or adapted are those dealing with the money payments for injury and death (including provisions dealing with medical, surgical, hospital and similar treatment and care), as well as those dealing with services and purposes forming an integral part of the local plan, provided they are of a kind or character similar to services and purposes authorized by the Employees' Compensation Act. Procedural provisions, designations of classes of beneficiaries in death cases, limitations (except those affecting amounts of benefit payments), and any other provisions not directly affecting the amounts of the benefit payments, in such local plans, shall not apply, but in lieu thereof the pertinent provisions of the Employees' Compensation Act shall apply, unless modified by further specification in this section.

(c) Compensation in all cases of such employees paid and closed prior to the effective date of the regulations in this part shall be deemed compromised and paid under section 42 of such act; in all

other cases compensation may be adjusted to conform with the regulations in this part, or the beneficiary may by compromise or agreement with the Bureau have compensation continued on the basis of a previous adjustment of the claim.

§ 25.3 General provisions relating to special schedule.

The special schedule established by Subpart B of this part is intended as the vehicle of general basic provisions, to be adapted, with such modifications as may be necessary, and as local conditions outside the United States require. The application of this special schedule will be by specific and appropriate provision in the regulations in this part, such provision specifying the locality to which applied, and the particular modifications of or additions to the schedule, as may be made.

§ 25.4 Authority to settle and pay claims.

In addition to the authority to receive, process and pay claims, when delegated such representative or agency receiving delegation of authority shall, in respect to cases adjudicated under this part, and when so authorized by the Director, have authority (a) to make lump sum awards (in the manner prescribed by section 14 of such act) whenever such authorized representative shall deem such settlement to be for the best interest of the United States, and (b) to compromise and pay claims for any benefits provided for under this part, including claims in which there is a dispute as to jurisdiction or other facts, or questions of law. The Director shall, in administrative instructions to the particular representative concerned, establish such procedures in respect to action under this section as may be deemed necessary, and may specify the scope of any administrative review of such action.

§ 25.5 Applicable criteria.

(a) The following criteria shall apply to cases of employees specified in § 25.1 and such cases, if otherwise compensable, shall be approved only upon evidence of the following nature without regard to the date of the injury or death for which claim is made:

(1) Appropriate certification by the Federal employing establishment, or;

(2) An Armed Services casualty or medical record, or;

(3) Verification of the employment and casualty by military personnel, or;

(4) Recommendation of an Armed Services "Claim Service" based on investigations conducted by it.

(b) This section shall apply only in the adjudication of claims for benefits payable from the appropriation provided in the Department of Labor Appropriation Act, 1966.

(79 Stat. 592) [31 F.R. 2376, Feb. 4, 1966]

Subpart B—Special Schedule of Compensation

§ 25.11 Compensation for disability.

Compensation for disability shall be paid to the employee as follows:

(a) *Permanent total disability.* In case of disability, total in character and permanent in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(b) *Temporary total disability.* In case of disability, total in character and temporary in quality, 66⅔ per centum of the monthly pay during the continuance of such disability.

(c) *Permanent partial disability.* In case of disability, partial in character and permanent in quality, 66⅔ per centum of the monthly pay, for the following losses and periods:

(1) Arm lost, 280 weeks' compensation.

(2) Leg lost, 248 weeks' compensation.

(3) Hand lost, 212 weeks' compensation.

(4) Foot lost, 173 weeks' compensation.

(5) Eye lost, 140 weeks' compensation.

(6) Thumb lost, 51 weeks' compensation.

(7) First finger lost, 28 weeks' compensation.

(8) Great toe lost, 26 weeks' compensation.

(9) Second finger lost, 18 weeks' compensation.

(10) Third finger lost, 17 weeks' compensation.

(11) Toe, other than great toe, lost, 8 weeks' compensation.

(12) Fourth finger lost, 7 weeks' compensation.

(13) Loss of hearing: One ear, 52 weeks' compensation; both ears, 200 weeks' compensation.

(14) Phalanges: Compensation for loss of more than one phalanx of a digit

shall be the same as for the loss of the entire digit. Compensation for loss of the first phalanx shall be one-half of the compensation for the loss of the entire digit.

(15) Amputated arm or leg: Compensation for an arm or a leg, if amputated at or above the elbow or the knee, shall be the same as for the loss of the arm or leg; but, if amputated between the elbow and the wrist, or between the knee and the ankle, the compensation shall be the same as for the loss of the hand or the foot.

(16) Binocular vision or per centum of vision: Compensation for loss of binocular vision, or for 80 per centum or more of the vision of an eye shall be the same as for loss of the eye.

(17) Two or more digits: Compensation for loss of two or more digits, one or more phalanges of two or more digits, of a hand or foot may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for the loss of a hand or a foot.

(18) Total loss of use: Compensation for permanent total loss of use of a member shall be the same as for loss of the member.

(19) Partial loss or partial loss of use: Compensation for permanent partial loss or loss of use of a member may be for proportionate loss of use of the member.

(20) Consecutive awards: In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member, set forth in subparagraphs (1) to (19), inclusive, of this paragraph but not amounting to permanent total disability, the award of compensation shall be for the loss or loss of use of each such member or part thereof, which awards shall run consecutively, except that where the injury affects only two or more digits of the same hand or foot, subparagraph (17) of this paragraph shall apply.

(21) Other cases: In all other cases within this class of disability the compensation during the continuance of disability shall be that proportion of compensation for permanent total disability, as determined under paragraph (a) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

(22) Compensation under subparagraph (1) to (21), inclusive, of this paragraph for permanent partial dis-

ability, shall be in addition to any compensation for temporary total or temporary partial disability under this section, and awards for temporary total, temporary partial, and permanent partial disability shall run consecutively.

(d) *Temporary partial disability.* In case of disability, partial in character and temporary in quality, during the continuance of disability that proportion of compensation for temporary total disability, as determined under paragraph (b) of this section, which is equal in percentage to the degree or percentage of physical impairment caused by the disability.

§ 25.12 Compensation for death.

If the disability causes death the compensation shall be payable in the amount, and to or for the benefit of the persons, determined as follows:

(a) To the undertaker or person entitled to reimbursement, reasonable funeral expenses not exceeding \$200.

(b) To the widow, if there is no child, 35 per centum of the monthly pay until her death or remarriage.

(c) To the widower, if there is no child and if wholly dependent for support upon the deceased employee at the time of her death, 35 per centum of the monthly pay until his death or remarriage.

(d) To the widow or widower, if there is a child, the compensation payable under paragraph (b) or (c) of this section, and in addition thereto 10 per centum of the monthly wage for each child, not to exceed a total of 66⅔ per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation of any child shall cease when he dies, marries, or reaches the age of 18 years, or if over such age, and incapable of self-support, becomes capable of self-support.

(e) To the children, if there is no widow or widower, 25 per centum of such monthly pay for one child and 10 per centum thereof for each additional child, not to exceed a total of 66⅔ per centum thereof, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries, or reaches the age of 18, or if over such age, and incapable of self-support, becomes capable of self-support. The compensation of a child

under legal age shall be paid to its guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(f) To the parents, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, 25 per centum of such monthly pay; if both are wholly dependent, 20 per centum thereof to each; if one is or both are partly dependent, a proportionate amount in the discretion of the Bureau. The compensation to a parent or parents in the percentages specified shall be paid if there is no widow, widower, or child, but if there is a widow, widower, or child, there shall be paid so much of such percentages for a parent or parents, as, when added to the total of the percentages of the widow, widower, and children, will not exceed a total of 66⅔ per centum of such pay.

(g) To the brothers, sisters, grandparents, and grandchildren, if one is wholly dependent upon the deceased employee for support at the time of his death, 20 per centum of such pay to such dependent; if more than one are wholly dependent, 30 per centum of such pay, divided among such dependents share and share alike; if there is no one of them wholly dependent, but one or more are partly dependent, 10 per centum of such pay divided among such dependents share and share alike. The compensation to such beneficiaries shall be paid if there is no widow, widower, child, or dependent parent. If there is a widow, widower, child, or dependent parent, there shall be paid so much of the above percentages as, when added to the total of the percentages payable to the widow, widower, children, and dependent parents, will not exceed a total of 66⅔ per centum of such pay.

(h) The compensation of each beneficiary under paragraphs (f) and (g) of this section shall be paid until he, if a parent or grandparent, dies, marries, or ceases to be dependent, or, if a brother, sister, or grandchild, dies, marries, or reaches the age of 18 years, or if over such age and incapable of self-support becomes capable of self-support. The compensation of a brother, sister, or grandchild under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(i) Upon the cessation of any person's compensation for death under this subpart, the compensation of any remaining person entitled to the continuation of compensation in the same case shall be adjusted, so that the continuing compensation shall be at the same rate such person would have received, had no award been made to the person whose compensation was terminated.

(j) In case there are two or more classes of persons entitled to compensation for death under this subpart, and the apportionment of such compensation as above provided would result in injustice, the Bureau may in its discretion modify the apportionments to meet the requirements of the case.

§ 25.13 General provisions.

(a) The definitions of terms in the Employees' Compensation Act of September 7, 1916, as amended, shall apply to terms used in this subpart.

(b) The provisions of such act unless modified by this subpart, or unless otherwise inapplicable, shall be applied whenever possible in the application of this subpart.

(c) The provisions of the regulations of the Bureau for the administration of such act of September 7, 1916, as amended (Subchapter A of this chapter), as supplemented from time to time by instructions applicable to this subpart, shall apply in the administration of compensation under this subpart, whenever they can reasonably be applied.

Subpart C—Extensions of Special Schedule of Compensation

§ 25.21 Philippine Islands.

(a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, as of December 8, 1941, in the Philippine Islands, and shall be applied retrospectively in cases of injury (or death from injury) occurring on and after such date. Compensation in all cases pending as of July 9, 1946, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to July 9, 1946, exceeds the amount provided for under

this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any case shall not exceed the sum of \$50.

§ 25.22 Australia.

(a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, as of December 8, 1941, in Australia, is all cases of injury (or death from injury) which occurred between December 8, 1941, and December 31, 1961, inclusive, and shall be applied retrospectively in all such cases of injury (or death from injury). Compensation in all such cases pending as of July 15, 1946, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any such case, otherwise than through fraud, misrepresentation, or mistake, and prior to July 15, 1946, exceeds the amount provided for under this paragraph; and such case shall be deemed compromised and paid under 5 U.S.C. 8137.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any such case shall not exceed the sum of \$50.

(c) The benefit amounts payable under the provisions of the Commonwealth Employees' Compensation Act 1930—1964, Australia, shall apply as of January 1, 1962, in Australia, as the exclusive measure of compensation in cases of injury (or death from injury) occurring on and after January 1, 1962, and shall be applied retrospectively in all such cases occurring on and after such date: *Provided*, That the compensation payable under the provisions of this paragraph shall in no event exceed that payable

under the Federal Employees' Compensation Act.

(5 U.S.C. 8137, 8138, 8145, 8149; Reorganization Plan No. 19 of 1950 (64 Stat. 1271, 3 CFR, 1949-1953 Comp., p. 1010); and General Order No. 46 (Rev.), 24 F.R. 8472) [32 F.R. 10567, July 19, 1967]

§ 25.23 Non-citizen employees of Office of Strategic Services and Strategic Services Unit.

(a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b) of this section, to non-citizen and non-resident employees of the Office of Strategic Services and Strategic Services Unit, War Department, as of December 7, 1941, and shall be applied retrospectively, in cases of injury (or death from injury) occurring on or after such date. Compensation in all cases pending December 1, 1947, shall be readjusted accordingly, with credit taken in any amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to December 1, 1947, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section for injury or death or both, shall not exceed the sum of \$5,000, exclusive of medical costs. The maximum monthly rate of compensation in any case shall not exceed the sum of \$50. The compensation of a parent, brother, sister, grandparent or grandchild shall be paid for a period of eight years from the time of death, unless before that time he, if a parent or grandparent, dies, marries, or ceases to be dependent, or, if a brother, sister, or grandchild, dies, marries, or reaches the age of 18 years, or, if over 18 years and incapable of self-support, becomes capable of self-support. The commutation of compensation in case of injury shall be made as of the date of the injury, and in case of death, as of the date of death.

§ 25.24 Territory of the Pacific Islands.

(a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraph (b)

of this section, as of July 18, 1947, in the Territory of the Pacific Islands which comprises all of the Mariana Islands except Guam, all of the Caroline Islands including the Island of Palau, and all of the Marshall Islands, and shall be applied retrospectively in cases of injury (or death from injury) occurring on and after such date. Compensation in all cases pending as of February 1, 1951, shall be adjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to February 1, 1951, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of such act of September 7, 1916, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any such case shall not exceed the sum of \$50.

[16 F.R. 2059, Mar. 5, 1951]

§ 25.25 Republic of Korea.

(a) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraphs (b), (c) and (d) of this section, as of December 1, 1954, in the Republic of Korea, and shall be applied retrospectively in cases of injury (or death from injury) occurring on and after such date. Compensation in all cases pending as of May 1, 1957, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date. Refund of compensation shall not be required if the amount of compensation paid in any case, otherwise than through fraud, misrepresentation, or mistake, and prior to May 1, 1957, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under section 42 of the Federal Employees' Compensation Act, as amended.

(b) The total aggregate compensation payable in any case under paragraph (a) of this section, for injury or death or both, shall not exceed the sum of \$4,000, exclusive of medical costs. The maximum monthly rate of compensation in any such case shall not exceed the sum of \$50.

(c) Paragraphs (b) through (j), inclusive, of § 25.12 of the Special Schedule of Compensation established by Subpart B of this part shall not be applicable to any case under this section. In lieu thereof, compensation for death shall be paid at the rate of 66⅔ per centum of the monthly pay of the deceased to the survivor or survivors of the deceased who shall take precedence according to the following order:

(1) To the surviving spouse.

(2) To the unmarried surviving child or children, who were supported from the income of the deceased or lived with him at the time of his death, share and share alike.

(3) To the surviving parent or parents, who were supported from the income of the deceased or lived with him at the time of his death, share and share alike.

(4) To the unmarried surviving grandchild or grandchildren, who were supported from the income of the deceased or lived with him at the time of his death, share and share alike.

(5) To the surviving grandparent or grandparents, who were supported from the income of the deceased or lived with him at the time of his death, share and share alike.

(6) To the unmarried surviving brothers and sisters, who were supported from the income of the deceased or lived with him at the time of his death, share and share alike.

(d) The compensation as determined pursuant to this section of a spouse, a child, a parent, a grandchild, a grandparent, or a brother or a sister shall be paid until the subsequent marriage or death of such beneficiary, but upon such subsequent marriage or death such compensation shall terminate and thereafter compensation remaining unpaid which would have been paid to the beneficiary had such entitlement continued shall be payable to the surviving beneficiary or beneficiaries, if any, of the same order of priority who are entitled to compensation, share and share alike, or if there are remaining no beneficiaries of the same order of priority entitled to compensation then to the beneficiary or beneficiaries next entitled to priority pursuant to paragraph (c) of this section: *Provided*, That whenever circumstances prevent the payment of benefits to a member of any of the classes of beneficiaries enumerated above, the compensation may be paid to the remaining sur-

vivor or survivors of the same class or, if there are none, then to the survivor or survivors of the next class in the order of the precedence, to the extent circumstances permit such payment.

[22 F.R. 3483, May 18, 1957, as amended at 23 F.R. 3315, June 3, 1958]

§ 25.26 Japanese seamen.

(a) (1) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraphs (b) and (c) of this section, as of June 1, 1965, to injuries sustained outside the continental United States or Canada by direct-hire Japanese seamen who are neither citizens nor residents of the United States or Canada and who are employed by the Military Sea Transportation Service in Japan. Compensation in all cases pending as of June 1, 1965, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date.

(2) Refund of compensation shall not be required if the amount of compensation paid in any case prior to June 1, 1965, otherwise than through fraud, misrepresentation, or mistake, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under 5 U.S.C. 8137.

(b) The total compensation payable under paragraph (a) of this section in cases other than those of permanent total disability or death, shall not exceed the sum of \$10,000, exclusive of medical costs. The maximum weekly rate of compensation in any case shall not exceed the sum of \$35 and the maximum wage on which compensation is calculated shall not exceed \$52.50 a week.

(c) Paragraphs (a) through (j), inclusive, of § 25.12 of the special schedule of compensation established by Subpart B of this part shall not be applicable to any case under this section. In lieu thereof, compensation for death shall be as follows:

(1) To the undertaker or other person entitled to reimbursement, reasonable funeral expenses not exceeding the equivalent of two months' pay or \$455, whichever is lower.

(2) To the widow, if there is no child, 41⅔ per centum of the weekly pay until her death or remarriage.

(3) To the widower, if there is no child and if wholly dependent for support upon the deceased employee at the time of her

death, 41⅔ per centum of the weekly pay until his death or remarriage.

(4) To the widow or widower, if there is a child, compensation payable under subparagraph (2) or (3) of this paragraph and, in addition thereto, 10 per centum of weekly wage for each child, not to exceed a total of 66⅔ per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation of any child shall cease when he dies, marries, reaches the age of 18 years, or, if over such age and incapable of self-support, becomes capable of self-support.

(5) To the children if there is no widow or widower, 41⅔ per centum of such weekly pay for one child and 10 per centum thereof for each additional child, not to exceed a total of 66⅔ per centum thereof, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries, reaches the age of 18, or, if over such age and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(6) To the dependent parents, dependent grandparents or dependent grandchildren, 41⅔ per centum of the weekly pay, share and share alike. The compensation to a parent, grandparent, or grandchild shall be paid only if there is no widow, widower or child, but if there is a widow, widower or child entitled to compensation, there shall be paid so much of such percentage for a parent, grandparent, or grandchild, as when added to the total of the percentages for the widow, widower and children, will not exceed a total of 66⅔ per centum of such pay.

(7) If a deceased employee is not survived by an eligible widow, widower, child, parent, grandparent or grandchild, there shall be paid to any other persons who were dependent upon the deceased for support at the time of his death, 50 per centum of the weekly pay for 312 weeks, share and share alike.

(8) The compensation of each beneficiary under subparagraph (6) of this paragraph shall be paid until he, if a parent or grandparent, dies, marries, or

ceases to be dependent, and, if a grandchild, dies, marries, reaches the age of 18, or, if over such age and incapable of self-support, becomes capable of self-support. The compensation payable under subparagraph (6) or (7) of this paragraph to a beneficiary under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(9) Upon the cessation of any person's compensation for death under this section, the compensation of any remaining person entitled to the continuation of compensation in the same case shall be

adjusted, so that the continuing compensation shall be at the same rate such person would have received, had no award been made to the person whose compensation was terminated.

(10) In case there are two or more classes of persons entitled to compensation for death under this section, and the apportionment of such compensation as above provided would result in injustice, the Bureau may in its discretion modify the apportionments to meet the requirements of the case.

(5 U.S.C. 8136, 8137, 8138, 8145, 8149; Reorg. Plan No. 19 of 1950, 64 Stat. 1271, 15 F.R. 3178; General Order No. 46 (Rev.), 24 F.R. 8472) [31 F.R. 14828, Nov. 23, 1966]

SUBCHAPTER C—LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

PART 31—GENERAL ADMINISTRATIVE PROVISIONS

Sec.

- 31.1 General administrative provisions; definitions; interpretation of statute.
- 31.2 Establishment of compensation districts.
- 31.3 Report by employer of injury or death.
- 31.4 Notice of injury or death.
- 31.5 Claims for compensation.
- 31.6 Notification of employer; action thereafter by employer.
- 31.7 Withdrawal of claim for compensation.
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- 31.11 Certification of record for use in court proceedings.
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Sec.

- 31.25 Assessment of civil penalties.
- 31.26 Agreed settlements.

AUTHORITY: The provisions of this Part 31 issued under sec. 39, 44 Stat. 1442; 33 U.S.C. 939, unless otherwise noted.

SOURCE: The provisions of this Part 31 contained in Regulations under the Longshoremen's and Harbor Workers' Compensation Act, May 31, 1938, unless otherwise noted. Redesignated at 13 F.R. 7670, Dec. 10, 1948.

§ 31.1 General administrative provisions; definitions; interpretation of statute.

Every person subject to, claiming benefits under, or acting under, the provisions of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. ch. 18) shall conform to the procedure prescribed therein and in the regulations under this subchapter. The term "Bureau" as used in this chapter means the Bureau of Employees' Compensation, United States Department of Labor. All other definitions appearing in section 2 of said act (44 Stat. 1424; 33 U.S.C. 902) shall be applicable with respect to the regulations promulgated under this chapter. The responsibility for the administration of the said act is committed therein to the Bureau, which administers the act through deputy commissioners appointed by it for the several compensation districts established pursuant to law. The said Bureau is the agency which was transferred from the Federal Security